

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

Jack Rogers and Paul Pinella,

Plaintiffs,

v.

Comcast Corporation
and AT&T Broadband,

Defendants.

2004 FEB 20 PM 3:02
Civil Action No.: 04-10142 EFH
U.S. DISTRICT COURT
DISTRICT OF MASSACHUSETTS

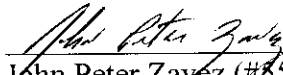
PLAINTIFFS' MOTION FOR REMAND

Now Come the Plaintiffs, Jack Rogers and Paul Pinella (collectively the "Plaintiffs"), and hereby move this Honorable Court for an order remanding this case to Massachusetts state court, specifically the Superior Court for Middlesex County, on grounds that this Court lacks subject matter jurisdiction. In support of this Motion, Plaintiffs respectfully refer the Court to the Memorandum in Support of Plaintiffs' Motion for Remand and Proposed Order, together with the pleadings and papers on file, and upon such other matters as may be presented to the Court.

CERTIFICATION UNDER RULE 7.1(A)(2)

Pursuant to Local Rule 7.1(A)(2), Plaintiffs' counsel states that the parties conferred and attempted in good faith to resolve the issues presented in this Motion, but that the parties were unable to reach an agreement, requiring Court action on this Motion.

DATED: 20 February 2004


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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the
above document was served upon the
attorney of record for each other party
by mail ~~(by hand)~~ on this date 2/20/04



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